

WILLIAM H. OLIVER, JR.

Brandywine Commons  
2240 State Highway 33, Suite 112  
Neptune, NJ 07753  
(732) 988-1500 – Fax (732) 775-7404  
Attorney for Debtor Adam Martin

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re: Adam Martin	Case No. 17-20861-MBK
Debtors	Chapter 7 Bankruptcy
	<b>NOTICE OF MOTION TO AVOID LIENS UNDER 11 USC 522(f) AND CANCEL LIEN OF JUDGMENT</b>

TO: Dan Straffi  
STRAFFI & STRAFFI, LLC  
670 Commons Way  
Toms River, NJ 08755

Adam Martin  
572 Duchess Court  
Toms River, NJ 08753

New Century Financial  
c/o Pressler & Pressler  
7 Entin Road  
Parsippany NJ 07054

Portfolio Recovery Assoc  
c/o Craner Satkin, Sheer  
PO Box 367  
Scotch Plains, NJ 07076

New Century Financial  
110 S Jefferson Rd  
Whippany, NJ 07981

Portfolio Recovery Assoc  
120 Corporate Blvd.  
Norfolk VA 23502

**PLEASE TAKE NOTICE** that the undersigned will apply to the United States Bankruptcy Court located in Trenton, New Jersey on **Monday, September 25, 2017 at 10:00 a.m.**, for an Order avoiding judicial liens on residential real estate owned by debtor.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, the undersigned shall rely on a Certification which is annexed hereto.

**PLEASE TAKE FURTHER NOTICE** that pursuant to D.N.J. LBR 9013-2, the undersigned maintains that no brief is necessary because the issues involved are not complex or novel. Movant relies on clear statutory language as the basis for relief and the moving papers give adequate notice of movant's theory of relief and relevant facts. Pursuant to Local Rule 1:6-2 oral argument is hereby waived.

Dated: August 28, 2017

/s/ William Oliver, Jr. Esq  
WILLIAM H. OLIVER, JR.  
Attorney for Debtor, Adam Martin

WILLIAM H. OLIVER, JR.

2240 State Highway 33, Suite 112  
Neptune, NJ 07753  
(732) 988-1500 – Fax (732) 775-7404  
Attorney for Debtor, Adam Martin

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Adam Martin

Debtor

Case No. 17-20861-MBK

Chapter 7 Bankruptcy

**CERTIFICATION IN SUPPORT  
MOTION TO AVOID LIENS UNDER  
11 USC 522(f) AND CANCEL LIEN OF  
JUDGMENT**

WILLIAM H. OLIVER, JR., ESQ., does hereby certify as follows:

I am the attorney representing the debtor, Adam Martin his Chapter 7 Bankruptcy.

1. On May 26, 2017, the debtor in the above matter filed a petition in bankruptcy under the Federal Bankruptcy Code, Chapter 7, Case No. 17-20861 in the Federal Bankruptcy Court, Trenton, New Jersey. Copy of the Notice of Commencement of case is attached hereto and labeled *Exhibit "A"*.

2. Debtor is a one-third owner of his residential property located at 572 Duchess Court, Toms River, NJ 08753.

3. New Century obtained judgment against the debtors in the Ocean County Superior Court, Special Civil, Law Division, which was docketed as Judgment No. DJ-342105-2011 on 6/30/2011 and docketed 12/27/2011 in the amount of \$547.19, interest in the amount of \$1.21, costs in the amount of \$64.93 and DCKG in the amount of \$ 10.00 against the debtor as *Exhibit "B"*.

4. Portfolio Recovery obtained judgment against the debtor in the Ocean County Superior Court, Special Civil, Law Division, which was docketed as Judgment No. DJ-103453-2012 on 10/25/2011 and docketed 5/16/2012 in the amount of \$1417.09, interest in the amount of \$3.71, costs in the amount of \$82.34 and DCKG in the amount of \$10.00 against the debtor as ***Exhibit "C"***.

2. Said creditors were listed in the bankruptcy petition. A copy of Schedule F and the Creditor Matrix is attached hereto as ***Exhibit "D"***.

3. This action is brought under 11 USC 522(f) to avoid the lien of judgments that interfere with the Debtor's exemptions.

4. The Debtor requests an Order that lien of judgments are avoided and directing the clerk of the court in which said judgment was entered to cancel and discharge same by entering on the record or in the margin of the record of the judgment that same has been canceled and discharged by Order of the Court.

In Schedule A of the Bankruptcy Petition, the debtor owns real estate located at 572 Duchess Court, Toms River, NJ 08753 as follows:

572 Duchess Court, Toms River, NJ 08753 (\$240,563 COS)	\$ 209,289.81
Less 1 <sup>st</sup> Mortgage :	\$274,705.00
Total deductions:	-\$ 65,415.19

There is therefore no equity in debtor's real estate for which any liens could attach in the bankruptcy. The lien, therefore, can be discharged in the bankruptcy proceeding pursuant to 11 USC §522(h) 544 AND 545

5. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: August 28, 2017

/s/William H. Oliver, Jr.

WILLIAM H. OLIVER, JR.

**Attorney for Defendant Debtor, Adam Martin**

*Exhibit “A”*

## Open Voluntary Bankruptcy Case

U.S. Bankruptcy Court

District of New Jersey

### Notice of Bankruptcy Case Filing

The following transaction was received from William H. Oliver, Jr. entered on 5/26/2017 at 12:56 PM EDT and filed on 5/26/2017

**Case Name:** Adam Ian Martin

**Case Number:** 17-20861

**Document Number:** 1

#### **Docket Text:**

Chapter 7 Voluntary Petition Filed by William H. Oliver, Jr. on behalf of Adam Ian Martin. (Oliver, Jr., William)

The following document(s) are associated with this transaction:

#### **Document description:**Main Document

**Original filename:**F:\ECF\Martin, Ada, Ian\Petition.PDF

#### **Electronic document Stamp:**

[STAMP bkecfStamp\_ID=1002741850 [Date=5/26/2017] [FileNumber=47464502-0] [8022f899551e441e683089b3899f286a58946bae85d509c4ae290b710ae3d2f0a2234bb043700583e053bd47c18b3b028796a3c1e64cc695de36b0db66a3e036]]

#### **17-20861 Notice will be electronically mailed to:**

William H. Oliver, Jr. on behalf of Debtor Adam Ian Martin  
bkwoliver@aol.com

U.S. Trustee.  
USTPRegion03.NE.ECF@usdoj.gov

#### **17-20861 Notice will not be electronically mailed to:**

# *Exhibit “B”*



RN17-209-01657  
988-1500-20

RE: MARTIN ADAM

1

## SUPERIOR COURT OF NEW JERSEY

JUDGMENT: J-064033-2011

CASE NUMBER: CS 822831 53B

DATE ENTERED: 03/02/11

DATE OF BIRTH: 01/11/82

ACTION: CHILD SUPPORT

VENUE: ATLANTIC

## CREDITOR(S):

AMANDA K MARTIN ,ORIGINAL DOCKET - FD-01-000688-11

ATTY FOR CR.: PRO SE

## DEBTOR(S):

ADAM W MARTIN ,PRO SE

800 E MOSS MILL RD, GALLOWAY, NJ 08205-4216

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The debt amount varies from date to date. If you wish to know  
the current details, please contact: 1-877-NJ-KIDS1 (1-877-655-4371)  
or www.njchildsupport.org

\*\*\* End of Abstract \*\*\*

## SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: DJ-342105-2011

CASE NUMBER: DC 007670 11

DATE DOCKETED: 12/27/11

DATE OF JUDGMENT IN S.C.P.: 06/30/11

TYPE OF ACTION: CONTRC-REG

VENUE: OCEAN

DEBT: \$	547.19
COSTS: \$	64.93
OTH: \$	8.11
INT: \$	1.21
DCKG: \$	10.00

## CREDITOR(S):

NEW CENTURY FINANCIAL SERVICES

110 S JEFFERSON RD, WHIPPANY, NJ 07981

ATTORNEY: PRESSLER &amp; PRESSLER

7 ENTIN RD

PARSIPPANY NJ 07054

973-753-5100

## DEBTOR(S):

ADAM MARTIN

572 DUCHESS CT, TOMS RIVER, NJ 08753

ATTORNEY: PRO SE

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\*\*\* End of Abstract \*\*\*

Charles Jones  
Established 1771

# *Exhibit “C”*

RN17-209-01657  
988-1500-20

RE: MARTIN ADAM

2

## SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: DJ-103453-2012

CASE NUMBER: DC 005597 11

DATE DOCKETED: 05/16/12

DATE OF JUDGMENT IN S.C.P.: 10/25/11

TYPE OF ACTION: CONTRC-REG

VENUE: OCEAN

DEBT: \$	1,417.09
COSTS: \$	82.34
INT: \$	3.71
DCKG: \$	10.00

## CREDITOR(S):

PORTFOLIO RECOVERY ASSOCIATES

320 PARK AV, SCOTCH PLAINS, NJ 07076

ATTORNEY: CRANER SATKIN SCHEER ET AL

320 PARK AV

PO BOX 367

SCOTCH PLAINS NJ 07076

908-322-2333

## DEBTOR(S):

ADAM MARTIN

572 DUCHESS CT, TOMS RIVER, NJ 08753

ATTORNEY: PRO SE

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\*\*\* End of Abstract \*\*\*

## SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: DJ-030206-2014

DATE DOCKETED: 02/19/14

TYPE OF ACTION: CERTIF OF DEBT

VENUE: MERCER

DEBT: \$ 878.00

## CREDITOR(S):

MOTOR VEHICLE COMMISSION , DMV AUTOMATED SURCHARGE

ATTORNEY: PRO SE

## DEBTOR(S):

ADAM J GLORE-MARTIN , DRIVERS LICENSE # = GXXXX0087107882 DOB: 07/18/1988

124 HEATHER AV, PRINCETON, NJ 08540-7605

ATTORNEY: PRO SE

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ADAM J GLORE ADDED TO OUR INDEX.

ADAM J MARTIN ADDED TO OUR INDEX.

\*\*\* End of Abstract \*\*\*

  
Charles Jones  
Established 1911

# *Exhibit “D”*

Debtor 1 **Adam Ian Martin**

Document Page 13 of 18

Case number (if know)

**17-20861**

4.32

**Monmouth Ocean Hospital Service Corp.**

Nonpriority Creditor's Name

**4806 Megill Road****Suite 3****Neptune, NJ 07753**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **8545****\$2,979.00**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify

4.33

**New Century Financial**

Nonpriority Creditor's Name

**110 S Jefferson Rd****Whippany, NJ 07981**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **7011****\$546.00**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify

4.34

**New Jersey Turnpike Authority**

Nonpriority Creditor's Name

**NJ E-Z Pass Violations Processing  
Center****PO Bo 52005****Newark, NJ 07101**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **9301****\$54.60**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify

Debtor 1 **Adam Ian Martin**

Document Page 14 of 18 Case number (if know)

**17-20861**

4.41

**Portfolio Recovery**

Nonpriority Creditor's Name

**PO Box 12914****Norfolk, VA 23541**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **8805****\$536.91**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify \_\_\_\_\_

4.42

**Portfolio Recovery Assoc**

Nonpriority Creditor's Name

**c/o Craner, Satkin, Scheer &  
Schwartz****320 Park Avenue****Scotch Plains, NJ 07076**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **9711****\$1,417.00**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify \_\_\_\_\_

4.43

**QBE Insurance Corp**

Nonpriority Creditor's Name

**P.O. Box 961291****Fort Worth, TX 76161**

Number Street City State Zip Code

Who incurred the debt? Check one.

☐ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☒ At least one of the debtors and another☐ Check if this claim is for a community debt  
Is the claim subject to offset?☒ No☐ YesLast 4 digits of account number **5291****\$1,030.45**

When was the debt incurred?

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not  
report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify \_\_\_\_\_

KML Law Group  
216 Haddon Ave Ste 406  
Specialized Loan Servi  
Collingswood, NJ 08108

Labcorp of America  
P.O. Box 2240  
Burlington, NC 27216

Leaders Financial Co  
21 Commerce Dr Fl 1  
Cranford, NJ 07016

Leaders Financial Comp  
21 Commerce Dr Fl 1  
Cranford, NJ 07016

Marcus Law LLC  
1500 Allaire Ave  
Suite 101  
Asbury Park, NJ 07712

Medical Radiology Group  
P.O. Box 11268  
Lancaster, PA 17605

Monmouth Medical Center Southern Campus  
PO Box 29965  
New York, NY 10087-9965

Monmouth Ocean Hospital Service Corp.  
4806 Megill Road  
Suite 3  
Neptune, NJ 07753

New Century Financial  
110 S Jefferson Rd  
Whippany, NJ 07981

New Century Financial Service  
C/O Pressler & Pressler  
7 Entin Road  
Parsippany, NJ 07054

Portfolio Recovery  
PO Box 12914  
Norfolk, VA 23541

Portfolio Recovery  
120 Corporate Blvd.  
Norfolk, VA 23502

Portfolio Recovery Assoc  
c/o Craner, Satkin, Scheer & Schwartz  
320 Park Avenue  
Scotch Plains, NJ 07076

QBE Insurance Corp  
P.O. Box 961291  
Fort Worth, TX 76161

QVC  
c/o Penn Credit Corp.  
916 S. 14th Street  
P.O. Box 988  
Harrisburg, PA 17108

QVC  
P.O. Box 659707  
San Antonio, TX 78265

Retro Fitness Toms River  
c/o 1st Crd Srvc  
377 Hoes Lane  
Piscataway, NJ 08854

Specialized Loan Servi  
KML Law Group  
216 Haddon Ave Ste 406  
Collingswood, NJ 08108

Specialized Loan Servi  
8742 Lucent Blvd Ste 300  
Highlands Ranch, CO 80129

Stafford Surgical Specialists, LLC  
201 West Passaic St  
Ste 201  
Rochelle Park, NJ 07662



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WILLIAM H. OLIVER, JR.  
Brandywine Commons  
2240 State Highway 33, Suite 112  
Neptune, NJ 07753  
(732) 988-1500 – Fax (732) 775-7404  
Attorney for Debtors, Adam Martin

In Re:

Adam Martin

Debtor

Case Number: 17-20861-MBK

Hearing Date: Sept 25, 2017 - 10:00am

Judge: Michael B Kaplan

Chapter: 7

Recommended Local Form:



Followed



Modified

**ORDER TO AVOID LIEN(S) IN A CHAPTER 7 CASE  
PURSUANT TO 11 U.S.C. § 522(f)**

The relief set forth on the following page is **ORDERED**.

\*\*\*\*\*

This matter was presented to the Court by the debtor on a Motion to Avoid Judicial lien(s) on the property described as 572 Duchess Court, Toms River, NJ 08753, and it is hereby

ORDERED that the following judicial lien(s) is (are) avoided (list liens):

1. New Century Financial DJ 342105-2011 DC007670-11
2. Portfolio Recovery Associates DJ 103453-2012 DC005597-11
3. \_\_\_\_\_

and it is hereby

ORDERED that the debtor may avoid above referenced lien(s) and have same cancelled of record as to the property, provided the debtor is granted a discharge in this chapter 7 case.

*rev.8/1/15*